

FILED
 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

5.22

STATE OF WASHINGTON,

PLAINTIFF,

V.

BRYAN KIM HARLEY,

DEFENDANT.

CAUSE NO. 08C131307 *KNT*PRESENTENCE STATEMENT OF
KING COUNTY PROSECUTING ATTORNEY

VENUE: KENT

CCN: 1861361 REFERRAL: 2081112903 DOB: 05/15/1973 RACE: A SEX: M ST ID:

GLTY	DTE	DSP	CNT	CHARGES	SP	VER	FIRST	RCW	CRIME DTE	CRIME CODE
		*				*				
04/30/2009	GP	2		VIOLATE MAND RPT LAW	26.44		040		10/28/2008	00990

COMMENTS:

SENTENCING JUDGE: RICHARD MCDERMOTT

DEFENSE ATTORNEY: MICHAEL J KELLY *Private*ATTACHMENTS: THE FOLLOWING ATTACHMENTS ARE INCORPORATED BY REFERENCE INTO THIS
PROSECUTOR'S STATEMENT:

PLEA AGREEMENT

PROSECUTOR'S STATEMENT OF DEFENDANT'S CRIMINAL HISTORY (APPENDIX B)

RAP SHEETS

SENTENCING REFORM ACT SCORE SHEET

SENTENCING MEMORANDUM REAL FACTS/RESTITUTION (APPENDIX C)

STATE'S SENTENCING RECOMMENDATION

FACTS OF CRIME: CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE;
INFORMATION; SENTENCING MEMORANDUM ON FACTS;

* GUILTY DISPOSITIONS: GP = GUILTY PLEA; GJ = GUILTY JURY; GN = GUILTY NON JURY;
 * SPECIAL VERDICT: 1 = DEADLY WEAPON; 2 = FIREARM; 3 = BOTH 1 AND 2;

FOR DANIEL T. SATTERBERG, PROSECUTING ATTORNEY

BY:
DEPUTY PROSECUTING ATTORNEY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

CHAD ELLIOTT SIU, and
BRYAN KIM HARLEY
and each of them,

Defendants.

No. 08-C-13129-3 KNT

08-C-13130-7 KNT ✓

INFORMATION

COUNT I

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse CHAD ELLIOTT SIU of the crime of **Sexual Misconduct with a Minor in the Second Degree**, committed as follows:

That the defendant CHAD ELLIOTT SIU in King County, Washington, during a period of time intervening between August 20, 2007 through January 20, 2008, being at least 60 months older than and not married to M.Y. (dob 03/03/1991), victim, and being in a significant relationship as defined in RCW 9A.44.010(8) to M.Y. (dob 03/03/1991), victim, did abuse a supervisory position within that relationship in order to engage in sexual contact with M.Y. (dob 03/03/1991), victim, who was at that time 16 years old;

Contrary to RCW 9A.44.096, and against the peace and dignity of the State of Washington.

COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse BRYAN KIM HARLEY of the crime of **Violation of Mandatory Reporting Law**, a crime of the same or similar character and based on the same conduct as another crime charged herein, which crimes

INFORMATION - 1

Daniel T. Satterberg, Prosecuting Attorney
Norm Maleng Regional Justice Center
401 Fourth Avenue North
Kent, Washington 98032-4429

1 were part of a common scheme or plan and which crimes were so closely connected in respect to
2 time, place and occasion that it would be difficult to separate proof of one charge from proof of
the other, committed as follows:

3 That the defendant BRYAN KIM HARLEY in King County, Washington, during a
4 period of time intervening between February 1, 2008 through October 28, 2008, being a coach,
5 did knowingly, without lawful excuse, fail to report to the proper law enforcement agency that he
6 had reasonable cause to believe M.Y. (dob 03/03/1991), a child, has suffered abuse caused by a
person over whom he regularly exercises supervisory authority, to wit: an assistant coach, in
violation of RCW 26.44.040;

7 Contrary to RCW 26.44.030(1)(b), and against the peace and dignity of the State of
Washington.

8 DANIEL T. SATTERBERG
9 Prosecuting Attorney

10 By: _____
11 Charles K. Sergis, WSBA #29364
12 Senior Deputy Prosecuting Attorney
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22
23

CAUSE NO.

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

That Marylisa Priebe-Olson is a(n) Detective with the King County Sheriff's Office and has reviewed the investigation conducted in the King County Sheriff's case number(s) 08-259010;

There is probable cause to believe that Bryan Kim Harley committed the crime(s) of Failure to report RCW 26.44.030.

This belief is predicated on the following facts and circumstances:

This incident occurred in Des Moines, King County, WA. V-MY was 16 years old at the time of the incident. S-Siu was 21 years old and 62 months older than V-MY. S-Siu was the paid assistant Volley Ball Coach for Mt. Rainier High School and S-Harley was the paid Head coach for Mt Rainier High School Volley ball, former teacher for Highline School District, and a mandatory reporter of child abuse.

In February or March of 2008 V-MY reported to S-Harley, that she had a sexual relationship with S-Siu in the fall of 2007 that ended in February or March of 2008. V-MY said that she emailed S-Siu a letter telling him she felt he used her, and did not think she could play Volley ball for him in the up coming season. V-MP told S-Harley she did not want to get S-Siu in trouble, was worried about her reputation, and was scared of the media. V-MY said she took responsibility for her part of the incident but wanted S-Siu to take responsibility for what he did as well. She said S-Harley said he would talk to S-Siu. S-Siu soon there after resigned from coaching. S-Siu wrote a letter of apology to V-MY, which S-Harley delivered to her in April of 2008, watched her read it, but would not let her keep it for "legal reasons".

V-MY reported the inappropriate relationship to the Mt. Rainier High school on 10-16-08. W-Rawie, Highline School Security, interviewed both S-Harley and S-Siu who both denied knowledge of an inappropriate relationship or apology letter. V-MP accessed S-Siu's email and found the apology letter and a recent email from S-Harley to S-Siu stating he "wanted to punch V-MY in the face; don't worry, he had S-Siu's covered on everything; She doesn't have your letter; I never talked with her or you about any relationship; she will get no support or sympathy from me or anyone else."

On 10-29-08 after waiving his Miranda rights S-Harley admitted to me that V-MY had told him about the relationship. S-Harley admitted that he did meet with and allow V-MY read S-Siu's apology letter but did not let her keep it because he did not want her to be able to use it against S-Siu later. S-Harley identified the email he sent to Siu as his, knew he was a mandatory reporter, and admitted he lied to the school district because he did not think V-MY had any evidence to show she was telling the truth.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated
By me this 17th day of November, 2008, at Kent/NMJC, Washington.

Certification for Determination
of Probable Cause

Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

ORIGINAL

CAUSE NO. 08-C-13129-3 KNT
CAUSE NO. 08-C-13130-7 KNT

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates the Certification for Determination of Probable Cause prepared by Detective Marylisa Priebe of the King County Sheriff's Office under case number 08-259010.

REQUEST FOR BAIL

Pursuant to CrR 2.2(b), the State requests the Court issue a summons directing defendant Siu to appear in court. The State requests an order prohibiting contact with M.Y. In addition, the State requests that the Court order that defendant Siu not be employed as a coach, volunteer his services in sports or other activities that minors engage in, or hold any position of authority over minors until further order of the court.

Pursuant to CrR 2.2(b), the State requests the Court issue a summons directing defendant Harley to appear in court. In addition, the State requests that the Court order that defendant Harley not be employed as a coach, volunteer his services in sports or other activities that minors engage in, or hold any position of authority over minors until further order of the court.

Both defendants held positions of authority over young girls. Both also were entrusted by the parents of these girls and by the school to protect them. Both failed completely to uphold their responsibilities, defendant Siu by using his position to advance a sexual relationship with M.Y., and defendant Harley by failing to report Siu's crime and actively trying to cover it up.

Signed this ____ day of November, 2008.

Charles K. Sergis, WSBA #29364

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Defendant: BRYAN K HARLEY

FBI No.:

State ID No.:

DOC No.:

This criminal history compiled on: November 19, 2008

- | | |
|--------------------------|---|
| <input type="checkbox"/> | None known. Recommendations and standard range assumes no prior felony convictions. |
| <input type="checkbox"/> | Criminal history not known and not received at this time. |

Adult Felonies - None Known**Adult Misdemeanors**

Offense	Score	Disposition
J00078672 RP marine violation	05/05/1992	WA Renton Municipal Court - Guilty

Juvenile Felonies - None Known**Juvenile Misdemeanors - None Known****Comments**

Prepared by:

Sidnie Sebastian
King County Office of the Prosecuting Attorney

**Contingent on plea by co-defendant, Chad Sue*
NON-FELONY PLEA AGREEMENT AND STATE'S RECOMMENDATION

Defendant: Bryan Harley Cause No: 08-C-13130-7 SEA/KNT

The State of Washington and the defendant enter into this PLEA AGREEMENT which is accepted only by a guilty plea. This agreement may be withdrawn at any time prior to entry of the guilty plea. The PLEA AGREEMENT is as follows:

On Plea To: As charged in Count(s) II of the ☒ original ☐ amended information. ☐ With Special Finding(s): ☐ domestic violence, RCW 10.99.020; ☐ other _____; for count(s): _____

☐ DISMISS: Upon disposition of Count(s) _____, the State moves to dismiss Count(s): _____

☒ REAL FACTS: The parties have stipulated that the following are real and material facts for purposes of this sentencing:

- ☒ The facts set forth in the certification(s) for determination of probable cause and prosecutor's summary.
☐ The facts set forth in ☐ Appendix C; ☐ _____

The STATE RECOMMENDS, pursuant to RCW chapter 9.95:

☐ Imposition of sentence on Count(s) _____ be DEFERRED for a period of _____ months (probation period may not exceed 24 months on each count), on the FOLLOWING CONDITIONS:

☒ Sentence of 12 months in the King County Jail on Count(s) _____ (concurrent)(consecutive), but execution SUSPENDED with a probation termination date of 24 months (probation period may not exceed 24 months on each count), on the FOLLOWING CONDITIONS:

☐ SERVE _____ days/ months on Count _____ and _____ days/ months on Count _____ in the King County Jail with credit for all days served solely on this cause with work release, if eligible. Terms to be served concurrent/ consecutive with each other. Terms to be served concurrently/ consecutively with _____ Terms to be consecutive with any other term not referenced on this page.

☒ MONETARY CONDITIONS: court costs, victim penalty assessment, recoupment for appointed counsel, WSP lab fee of \$100, incarceration costs of \$50 per day (in King County Jail), and _____

☒ RESTITUTION: The defendant shall pay restitution in full to the victim(s) on charged counts and _____

☒ agrees to pay restitution in the specific amount of \$ _____
☐ agrees to pay restitution as set forth in ☐ Appendix C; ☐ _____

☒ SUPERVISED PROBATION under the jurisdiction of and subject to standard rules of supervision of the Washington Department of Corrections or King County Probation Department.

☒ Have NO LAW VIOLATIONS

☒ Have NO CONTACT WITH:

☒ CRIME VICTIM(S) M.V. as a condition of sentence ☐ and RCW 10.99 or RCW 26.50.
☐ MINORS, EXCEPT WITH SUPERVISION

☐ Do not possess or use ALCOHOL OR NON-PRESCRIBED DRUGS

☐ Obtain a SUBSTANCE ABUSE EVALUATION and comply with recommended TREATMENT program.

☐ Enter and complete a state-certified DOMESTIC VIOLENCE TREATMENT program.

☒ OTHER: 240 hours of community service. Defendant may not coach, teach, or hold any position of authority over minors during probation.

The State's recommendation will increase in severity if additional criminal convictions are found or if the defendant commits any new charged or uncharged crimes, fails to appear for sentencing or violates the conditions of release. The recommendation assumes that prior convictions have been fully disclosed and are set forth in Appendix B.

Maximum on Count(s) II is not more than 12 months each and \$ 5,000 fine each.
Maximum on Count(s) _____ is not more than _____ months each and \$ _____ fine each.

MANDATORY CONSEQUENCES: HIV test (RCW 70.24.340) for any sex offense or prostitution related offense, or drug offense with needle use; DNA test (RCW 43.43.754) for Harassment, Stalking or Communication with a Minor for Immoral Purposes; Revocation of right to possess a FIREARM (RCW 9A.10.040) for some domestic violence offenses; DRIVER'S LICENSE REVOCATION (RCW 46.20.285; RCW 69.50.420); OFFENDER REGISTRATION (RCW 9A.44.130, 140).

Bryan Harley
Defendant

[Signature]
Attorney for Defendant

#31816

[Signature]
Deputy Prosecuting Attorney

[Signature]
Judge, King County Superior Court

FILED
09 JUL 27 AM 8:39
KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

CERTIFIED COPY TO COUNTY JAIL JUL 27 2009

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

BRYAN KIM HARLEY,

Defendant.

No. 08-C-13130-7 KNT

JUDGMENT AND SENTENCE,

NON-FELONY -- Count(s) II

[] DEFERRING Imposition of

Sentence/Probation

☒ SUSPENDING Sentence

The Prosecuting Attorney, the above-named defendant and counsel Joseph Baker being present in Court, the defendant having been found guilty of the crime(s) charged in the information on 04/30/2009 by guilty plea and there being no reason why judgment should not be pronounced;

IT IS ADJUDGED that the defendant is guilty of the crime(s) of: COUNT II: VIOLATION OF MANDATORY REPORTING LAW/ RCW 26.44.030(1)(B)

IT IS ORDERED pursuant to RCW 9.95.200 and 9.95.210 that:

[] the imposition of sentence against the defendant is hereby ~~DEFERRED~~ for a period of months from this date upon the following terms and conditions:

OR

☒ the defendant is sentenced to imprisonment in the King County Jail, Department of Adult Detention, for 12 months on each count, said term(s) to run [] concurrently [] consecutively with each other, and to run [] concurrently [] consecutively with [] count(s) [] Cause No(s). and the sentence (less any days of confinement imposed below) is hereby **SUSPENDED** upon the following terms and conditions:

(1) The defendant shall serve a term of confinement of [] in the King County Jail, Department of Adult Detention, [] in King County Work/Education Release subject to conditions of conduct ordered this date, [] in King County Electronic Home Detention subject to conditions of conduct ordered this date, with credit for [] days served [] days as determined by the King County Jail, solely on this cause, to commence no later than . This term shall run [] concurrently [] consecutively with . This term shall run consecutive to any other term not specifically referenced in this order.

(2) The defendant shall be on probation under the supervision of the Washington State Department of Corrections and comply with the standard rules and regulations of supervision. Probation shall commence immediately but is tolled during any period of confinement. The defendant shall report for supervision within 72 hours of this date or release date if in custody. The length of probation shall be 24 months.

(3) Defendant shall pay to the clerk of this Court:

- (a) ☐ Restitution is not ordered;
☐ Order of Restitution is attached;
☒ Restitution to be determined at a restitution hearing on (Date) _____ at _____ m.;
☒ Date to be set;
☒ The defendant waives presence at future restitution hearing(s); RSB

(b) \$ 223, Court costs;

(c) \$ 500, Victim assessment, \$500 for gross misdemeanors and \$250 for misdemeanors;

(d) \$ 0, Recoupment for attorney's fees to King County Public Defense Programs;

(e) \$ 0, Fine; \$ _____ of this fine is suspended upon the terms and conditions herein;

(f) TOTAL financial obligation: \$723 + restitution;

The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: ☐ Not less than \$ _____ per month; ☒ On a schedule established by the Department of Corrections if it has active supervision of the defendant, or by the county clerk.

(4) ☒ The defendant shall complete 240 community service hours ☐ at a rate of not less than _____ hours per month ☒ to be completed by (Date) July 24, 2011. If the defendant is not supervised by the Dept. of Corrections, community service will be monitored by the Helping Hands Program.

(5) ☐ The defendant shall not purchase, possess, or use any ☐ alcohol ☐ controlled substance (without a lawful prescription). The defendant shall submit to urinalysis and/or breath testing as required by the Department of Corrections and submit to search of person, vehicle or home by a Community Corrections Officer upon reasonable suspicion of violation;

(6) ☐ The defendant shall obtain a substance abuse evaluation and follow all treatment recommendations; _____

(7) ☐ The defendant shall enter into, make reasonable progress and successfully complete a state certified domestic violence treatment program; _____

(8) ☒ The defendant shall have no contact with: M.Y.

(9) ☐ The defendant shall have no unsupervised contact with minors.

(10) ☐ The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in Appendix G (for harassment, stalking, assault in the fourth degree with sexual motivation, communicating with a minor for immoral purposes, failure to register, custodial sexual misconduct in the second degree, patronizing a prostitute, sexual misconduct with a minor in the second degree, violation of a sexual assault protection order, or any other offense requiring registration under RCW 9A.44.130).

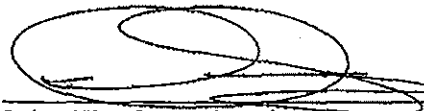
(11) ☐ The defendant shall register as a sex offender.

(12) The defendant shall commit no criminal offenses.

(13) ☒ Additional conditions of probation are: Defendant may not coach, teach or hold any position of authority over minors during probation.

(14) Additional conditions are attached to and incorporated as Appendix _____.


Date: 7-24-09



Judge, King County Superior Court

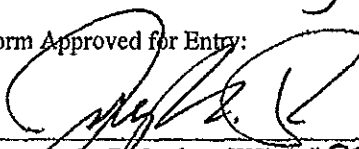
Print Name: Cheryl Carey

Presented by:


Deputy Prosecuting Attorney, WSBA # 29364

Print Name: C. Sergis

Form Approved for Entry:


Attorney for Defendant, WSBA # 32207

Print Name: J. D. Harker

Defendant's current address:

1400 HUBBELL PL. #909

SEATTLE WA 98101

FILED

FAX HIV

09 AUG 24 AM 8:38

KING COUNTY
SUPERIOR COURT CLERK
KENT, WACOMMITMENT ISSUED ~~Aug 24 2009~~

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

CHAD ELLIOTT SIU,

Defendant.

No. 08-C-13129-3 KNT

JUDGMENT AND SENTENCE,

NON-FELONY -- Count(s) I

[] DEFERRING Imposition of

Sentence/Probation

☒ SUSPENDING Sentence

The Prosecuting Attorney, the above-named defendant and counsel ~~Jason Friedt~~ being present in Court, the defendant having been found guilty of the crime(s) charged in the information on 05/04/2009 by guilty plea and there being no reason why judgment should not be pronounced;

IT IS ADJUDGED that the defendant is guilty of the crime(s) of: Sexual **COUNT I MISCONDUCT WITH A MINOR IN THE SECOND DEGREE/ RCW 9A.44.096**

IT IS ORDERED pursuant to RCW 9.95.200 and 9.95.210 that:
[] the imposition of sentence against the defendant is hereby DEFERRED for a period of _____ months from this date upon the following terms and conditions:

OR

☒ the defendant is sentenced to imprisonment in the King County Jail, Department of Adult Detention, for 12 months on each count, said term(s) to run [] concurrently [] consecutively with each other, and to run [] concurrently [] consecutively with [] count(s) [] Cause No(s). and the sentence (less any days of confinement imposed below) is hereby SUSPENDED upon the following terms and conditions:

(1) The defendant shall serve a term of confinement of 90 days [] in the King County Jail, Department of Adult Detention, ☒ in King County Work/Education/Release subject to conditions of conduct ordered this date, [] in King County Electronic Home Detention subject to conditions of conduct ordered this date, with credit for [] days served [] days as determined by the King County Jail, solely on this cause, to commence no later than Sept 18, 2009. This term shall run [] concurrently [] consecutively with Lebanon. This term shall run consecutive to any other term not specifically referenced in this order.

(2) The defendant shall be on probation under the supervision of the Washington State Department of Corrections and comply with the standard rules and regulations of supervision. Probation shall commence immediately but is tolled during any period of confinement. The defendant shall report for supervision within 72 hours of this date or release date if in custody. The length of probation shall be 24 months.

(3) Defendant shall pay to the clerk of this Court:

- (a) ☐ Restitution is not ordered;
☐ Order of Restitution is attached;
☒ Restitution to be determined at a restitution hearing on (Date) _____ at _____, m.;
☒ Date to be set;
☒ The defendant waives presence at future restitution hearing(s);

(b) \$ 223, Court costs;

(c) \$ 500, Victim assessment, \$500 for gross misdemeanors and \$250 for misdemeanors;

(d) \$ _____, Recoupment for attorney's fees to King County Public Defense Programs;

(e) \$ _____, Fine; \$ _____ of this fine is suspended upon the terms and conditions herein;

(f) TOTAL financial obligation: \$723 + restitution;

The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: ☐ Not less than \$ _____ per month; ☒ On a schedule established by the Department of Corrections if it has active supervision of the defendant, or by the county clerk.

(4) ☐ The defendant shall complete _____ community service hours ☐ at a rate of not less than _____ hours per month ☐ to be completed by (Date) _____. If the defendant is not supervised by the Dept. of Corrections, community service will be monitored by the Helping Hands Program.

(5) ☐ The defendant shall not purchase, possess, or use any ☐ alcohol ☐ controlled substance (without a lawful prescription). The defendant shall submit to urinalysis and/or breath testing as required by the Department of Corrections and submit to search of person, vehicle or home by a Community Corrections Officer upon reasonable suspicion of violation;

(6) ☐ The defendant shall obtain a substance abuse evaluation and follow all treatment recommendations; _____

(7) ☐ The defendant shall enter into, make reasonable progress and successfully complete a state certified domestic violence treatment program; _____

(8) ☒ The defendant shall have no contact with: M. V. (3-3-91) or her family

(9) ☐ The defendant shall have no unsupervised contact with minors.

(10) ☒ The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in Appendix G (for harassment, stalking, assault in the fourth degree with sexual motivation, communicating with a minor for immoral purposes, failure to register, custodial sexual misconduct in the second degree, patronizing a prostitute, sexual misconduct with a minor in the second degree, violation of a sexual assault protection order, or any other offense requiring registration under RCW 9A.44.130).

(11) ☒ The defendant shall register as a sex offender.

(12) The defendant shall commit no criminal offenses.

(13) ☒ Additional conditions of probation are: Obtain a sexual deviancy
evaluation and follow all treatment recommendations;
Defendant may not teach, coach or hold any position
of authority over minors during probation

(14) Additional conditions are attached to and incorporated as Appendix _____.

Date: 8-21-09

[Signature]
Judge, King County Superior Court
Print Name: C. J. C.

Presented by:

[Signature]
Deputy Prosecuting Attorney, WSBA # 29364
Print Name: C. Sergis

Form Approved for Entry:

[Signature]
Attorney for Defendant, WSBA # 35992
Print Name: JASON A. FRIEDT

Defendant's current address:

Chad E.K. Siu
9707 S. 262nd PL
Kent, WA 98030

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

Chad Sin

Defendant,

No. 08-C-13129-3 HNT

APPENDIX G
ORDER FOR BIOLOGICAL TESTING
AND COUNSELING

(1) DNA IDENTIFICATION (RCW 43.43.754):

The Court orders the defendant to cooperate with the King County Department of Adult Detention, King County Sheriff's Office, and/or the State Department of Corrections in providing a biological sample for DNA identification analysis. The defendant, if out of custody, shall promptly call the King County Jail at 296-1226 between 8:00 a.m. and 1:00 p.m., to make arrangements for the test to be conducted within 15 days.

(2) ☒ HIV TESTING AND COUNSELING (RCW 70.24.340):

(Required for defendant convicted of sexual offense, drug offense associated with the use of hypodermic needles, or prostitution related offense.)

The Court orders the defendant contact the Seattle-King County Health Department and participate in human immunodeficiency virus (HIV) testing and counseling in accordance with Chapter 70.24 RCW. The defendant, if out of custody, shall promptly call Seattle-King County Health Department at 205-7837 to make arrangements for the test to be conducted within 30 days.

If (2) is checked, two independent biological samples shall be taken.

Date: 8-21-09


JUDGE, King County Superior Court

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

No. 08-C-13129-3 HNT

vs.

Chad E. Sin

Defendant,

APPENDIX J

JUDGMENT AND SENTENCE

SEX/ KIDNAPPING OFFENDER NOTICE OF
REGISTRATION REQUIREMENTS

SEX AND KIDNAPPING OFFENDER REGISTRATION. RCW 9A.44.130, 10.01.200. You are required to register your complete residential address with the sheriff of the county where you reside, because you have been convicted of one of the following sex or kidnapping offenses: *Rape 1, 2, or 3; Rape of a Child 1, 2, or 3; Child Molestation 1, 2 or 3; Sexual Misconduct With A Minor 1 or 2; Indecent Liberties; Incest 1 or 2; Voyeurism; Kidnapping 1 or 2 (if victim is a minor and offender is not the minor's parent); Unlawful Imprisonment (if victim is a minor and offender is not the minor's parent); Sexual Exploitation of a Minor; Custodial Sexual Misconduct 1; Criminal Trespass against Children; Dealing in Depictions of a Minor Engaged in Sexually Explicit Conduct; Sending, Bringing Into State Depictions of a Minor Engaged in Sexually Explicit Conduct; Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct; Communication with a Minor for Immoral Purposes; Patronizing a Juvenile Prostitute; Failure to Register as a Sex Offender; any gross misdemeanor that is under RCW 9A.28, a criminal attempt, criminal solicitation, or criminal conspiracy to commit an offense that is classified as a sex offense under RCW 9.94A.030 or RCW 9A.44.130 or a kidnapping offense under 9A.44.130; or any felony with a finding of sexual motivation (RCW 9.94A.835 or RCW 13.40.135).*

If you are out of custody, you must register immediately upon being sentenced.

If you are in custody, you must register within 24 hours of your release.

If you change your residence within a county, you must send signed written notice of your change of residence to the county sheriff within 72 hours of moving.

If you change your residence to a new county within this state, you must send signed written notice of your change of residence to the sheriff of the county of your new residence at least 14 days before moving and register with the county sheriff of your new residence within 24 hours of moving. In addition, you must give signed written notice of your change of address to the sheriff of the county where you last registered within 10 days of moving.

If you plan to attend a public or private school or institution of higher education in Washington, you are required to notify the county sheriff for the county of your residence within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier. If you are currently attending a public or private school or institution of higher education in Washington, you must notify the county sheriff, for the county where the school is located, immediately.

If you lack a fixed residence, you are required to register as homeless. You must also report in person to the sheriff of the county where you registered on a weekly basis. If you are under DOC supervision and lack a fixed residence, you must register in the county where you are being supervised. If you enter a different county and stay there for more than 24 hours, you will be required to register in the new county within 24 hours.

If you leave the state following your sentencing or release from custody but later move back to Washington, you must register within 3 business days after returning to this state or within 24 hours if you are under the jurisdiction of the state department of corrections, the indeterminate sentence review board or the department of social and health services.

If you move to a new state, you must register with the new state within 10 days after establishing residence. You must also send written notice, within 10 days of moving to the new state, to the county sheriff with whom you last registered in Washington State.

If you are not a resident of Washington, but attend school, are employed, or carry on a vocation in the State of Washington, you must register with the county sheriff for the county where your school, place of employment, or vocation is located.

If you are ranked as a Level II or Level III offender (even if you have a fixed residence), you must report, in person, every ninety days to the sheriff of the county where you are registered. Reporting shall be on a day specified by the county sheriff's office, and shall occur during normal business hours.

The King County Sheriff's Office sex offender registration desk is located on the first floor of the King County Courthouse- 516 3rd Avenue, Seattle, WA. Failure to comply with registration requirements is a criminal offense.

Copy Received:

Defendant

Date

JUDGE

APPENDIX Rev. 8/06
Distribution:
Original - Clerk
Yellow - Defendant
Pink - King County Jail